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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,320	08/08/2001	Anita Hogans Simpson	BS01-066	1966

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EXAMINER

MARTIN, NICHOLAS A

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/923,320

Applicant(s)

SIMPSON, ANITA HOGANS

Examiner

Nicholas Martin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-48 and 51-56 is/are pending in the application.
- 4a) Of the above claim(s) 2,49,50 and 57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-48 and 51-56 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/12/01 - 3/4/02
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Claims 1, 3-48 and 51-56 are presented for examination. Claims 2, 49-50 and 57 have been cancelled.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Arguments

3. Applicant's arguments filed on 04/21/2005 with respect to claims 1-57 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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5. Claims 1, 7-13, 16-20, 24-30, 34-44, 46-48 and 55-56 are rejected under 35 U.S.C. 102(e) as being anticipated by Aravamudan et al. (hereinafter Aravamudan), US 6,301,609.

6. As per claim 1, Aravamudan teaches a method for notifying an offline user of an online user, the method comprising the steps of:

monitoring users who log in to a website (Col. 7, lines 1-5, lines 49-52);

as each user logs in, comparing notification criteria of the offline user, the notification criteria specifying a particular user that logs in to the website (Col. 7, line 55 – Col. 8, line 4); and

when the particular user logs in to the website, sending a notification that the particular user has logged in to the website, the notification initiating an offline communication to the offline user (Col. 9, lines 40-44, lines 64-67; Col. 10, lines 1-15).

7. As per claim 7, Aravamudan teaches the method of claim 12, further comprising reporting the indication to another offline user (Col. 10, lines 41-48).

8. As per claim 8, Aravamudan teaches the method of claim 1, further comprising at least one of storing contact information of the offline user, retrieving the contact information of the offline user, and sending the offline communication to the offline user in accordance with the contact information (Col. 6, lines 13-27; Col. 10, lines 41-48).

9. As per claim 9, Aravamudan teaches the method of claim 8, wherein the contact information comprises a communication device type and an address of the communication device (Col. 1, lines 30-35; Col. 6, lines 13-31; Col. 8, lines 43-51).

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10. As per claim 10, Aravamudan teaches the method of claim 8, wherein the contact information comprises a plurality of communication device types of the offline user, addresses for reach of the plurality of communication device types, and an order in which to attempt the plurality of communication device types (Col. 1, lines 30-35; Col. 6, lines 13-31; Col. 8, lines 43-51; Col. 10, lines 41-48).

11. As per claim 11, Aravamudan teaches the method of claim 8, wherein the step of sending the offline communication comprises sending the offline communication to one of a wireline telephone, a wireless telephone, a caller identification device, a wireless access protocol device, a one-way pager, and an interactive pager (Col. 3, lines 31-37).

12. As per claim 12, Aravamudan teaches the method of claim 1, further comprising the steps of:

receiving an indication user as to whether the offline user will log into the website (Col. 7, lines 21-26, lines 55-59; Col. 10, lines 52 – Col. 11, line 7); and

reporting the indication to an online user (Col. 7, lines 21-26).

13. As per claim 13, Aravamudan teaches the method of claim 12, wherein the step of sending the offline communication comprises sending the offline communication to one of a wireline telephone and a wireless telephone,

wherein the step of receiving the indication comprises receiving input of the offline user through an interactive voice response unit (Col. 3, lines 31-37; Col. 3, line 66 – Col. 4, line 12; Col. 7, lines 21-26, lines 55-59; Col. 10, line 52 – Col. 11, line 7), and

wherein the step of reporting the indication comprise transmitting the indication to the online user through a global computer network (Col. 1, lines 28-30; Col. 3, lines 37-41; Col. 7, lines 21-26).

14. As per claim 16, Aravamudan teaches the method of claim 12, wherein the step of sending the offline communication comprises sending the offline communication to one of an interactive pager and a wireless access protocol device,

wherein the step of receiving the indication comprises receiving the input of the offline user from the interactive pager or wireless access protocol device (Col. 3, lines 31-37; Col. 3, line 66 – Col. 4, line 12; Col. 7, lines 21-26, lines 55-59; Col. 10, line 52 – Col. 11, line 7), and

wherein the step of reporting the indication comprise transmitting the indication to the online user through a global computer network (Col. 1, lines 28-30; Col. 3, lines 37-41; Col. 7, lines 21-26).

15. As per claim 17, Aravamudan teaches the method of claim 16, wherein the input comprises one of a standard message and a customized message (Col. 1, lines 50-58; Col. 5, lines 15-31).

16. As per claim 18, Aravamudan teaches the method of claim 1, wherein the notification comprises the notification criteria, a time and data that the notification criteria was satisfied (Col. 10, lines 37-48).

17. As per claim 19, Aravamudan teaches the method of claim 8, further comprising the step of requiring the offline user to provide a passcode before forwarding the offline communication (Col. 6, lines 39-44).

18. Claim 20 does not teach or define any new limitations above claim 1 and therefore is rejected for similar reasons.

19. Claims 24-29 do not teach or define any new limitations above claims 8-13 and therefore are rejected for similar reasons.

20. Claim 30 does not teach or define any new limitations above claim 1 and therefore is rejected for similar reasons.

21. Claims 34-39 do not teach or define any new limitations above claims 8-13 and therefore are rejected for similar reasons.

22. Claim 40 does not teach or define any new limitations above claim 1 and therefore is rejected for similar reasons.

23. As per claim 41, Aravamudan teaches the method of claim 40, wherein the website is one of a chat room, a game site, and an auction (Col. 1, lines 39-49).

24. Claim 42 does not teach or define any new limitations above claim 40 and therefore is rejected for similar reasons.

25. Claim 43 does not teach or define any new limitations above claim 41 and therefore is rejected for similar reasons.

26. Claim 44 does not teach or define any new limitations above claim 8 and therefore is rejected for similar reasons.

27. Claims 46-47 do not teach or define any new limitations above claims 11-12 and therefore are rejected for similar reasons.

28. Claim 48 does not teach or define any new limitations above claims 1 and 12 and therefore is rejected for similar reasons.

29. Claim 55 does not teach or define any new limitations above claims 1 and 12 and therefore is rejected for similar reasons.

30. Claim 56 does not teach or define any new limitations above claim 11 and therefore is rejected for similar reasons.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

31. Claims 3, 21, 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan in view of Moncreiff, Craig T. (hereinafter Moncreiff), US 2001/0051989.

32. As per claim 3, Aravamudan teaches a method of claim 1, wherein the website is a chat room (Col. 1, lines 39-49).

33. Aravamudan does not teach the method of claim 1, wherein the online interaction criteria comprises of at least one of:

a number of users logged into the chat room, and

a request that the offline user log into the chat room.

34. Moncreiff teaches an online interaction criteria comprises of at least one of:

a number of users logged into the chat room (Paragraph [0003]), and

a request that the offline user log into the chat room (Paragraph [0012]).

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35. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Moncreiff and Aravamudan because they both deal with receiving signals pertaining to chat room activities. Furthermore, the teaching of Moncreiff to allow an online interaction criteria comprises of at least one of a number of users logged into the chat room, and a request that the offline user log into the chat room would improve the functionality of Aravamudan's system by creating more localized groups for chatting wherein notified offline users are the correct audience for each chat.

36. Claims 21 and 31 do not teach or define any new limitations above claim 3 and therefore are rejected for similar reasons.

37. Claims 4, 22, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan in view of Busch et al. (hereinafter Busch), US 20020028708.

38. As per claim 4, Aravamudan does not explicitly teach the method of claim 1, wherein the online interaction is a game site and the notification criteria comprise at least one of:

a number of users logged into the game site, and

a request that the offline user log into the game site, wherein the request is sent by a user logged into the game site.

39. Busch teaches an online interaction criteria comprises of at least one of:

a number of users logged into the game site (Paragraphs [0039] and [0095]), and

a request that the offline user log into the game site, wherein the request is sent by a user logged into the game site (Paragraphs [0039] and [0095]).

40. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Busch and Aravamudan because they both deal with receiving signals pertaining to signaling and joining activities over a communication network. Furthermore, the teaching of Busch to allow an online interaction criteria comprises of at least one of a number of users logged into the game site, and a request that the offline user log into the game site, wherein the request is sent by a user logged into the game site would improve the functionality of Aravamudan's system by adding the feature of signaling and action initiating of game site activity events to increase its resourcefulness according to electronic content.

41. Claims 22 and 32 do not teach or define any new limitations above claim 3 and therefore are rejected for similar reasons.

42. Claims 5-6, 23, 33 and 51-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan in view of Scott et al. (hereinafter Scott), US 2004/0073507.

43. As per claim 5, Aravamudan teaches the method of claim 1, wherein the notification criteria submitted by the offline user (Col. 7, line 55 – Col. 8, line 4; Col. 9, lines 40-44, lines 64-67; Col. 10, lines 1-15).

44. Scott teaches a method wherein the wherein the website is an auction site and the notification criteria comprise entry of a bid that exceeds a high bid submitted (Paragraphs [0016], [0041] and [0088]).

45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Scott and Aravamudan because they both deal with auction services' signaling of activity. Furthermore, the teaching of Scott to allow wherein the website is an auction site and the notification criteria comprise entry of a bid that exceeds a high bid submitted would improve the functionality of Aravamudan's system by creating a signal to indicate to a user not online that a higher bid has been inputted in order to keep the user informed.

46. As per claim 6, Aravamudan does not teach the method of claim 1, wherein the website is an auction site and the notification criteria comprise a number of bids submitted within a certain duration.

47. Scott teaches a method of claim 1, wherein the website is an auction site and the notification criteria comprise a number of bids submitted within a certain duration (Paragraph [0088]).

48. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Scott and Aravamudan because they both deal with auction services' signaling of activity. Furthermore, the teaching of Scott to allow wherein the website is an auction site and the notification criteria comprise a number of bids submitted within a certain duration would improve the functionality of

Aravamudan's system by creating a time period as to which bidding could take place and therefore increasing efficiency as to when filtering by an external source can occur.

49. Claims 23 and 33 do not teach or define any new limitations above claim 5 and therefore are rejected for similar reasons.

50. Claim 51 does not teach or define any new limitations above claims 1, 5-6 and therefore is rejected for similar reasons.

51. Claim 52 does not teach or define any new limitations above claims 5-6 and therefore is rejected for similar reasons.

52. Claim 53 does not teach or define any new limitations above claims 12, 5-6 and therefore is rejected for similar reasons.

53. Claim 54 does not teach or define any new limitations above claims 13, 5-6 and therefore is rejected for similar reasons.

54. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan in view of Adams, Jeffery B. (hereinafter Adams), US 2002/0124100.

55. As per claim 14, Aravamudan does not explicitly teach the method of claim 13, wherein the step of receiving the indication comprises receiving audio input of the offline user and converting the audio input to text for transmission through the global computer network to the online user.

56. Adams teaches a method wherein the step of receiving the indication comprises receiving audio input of the offline user and converting the audio input to text for

transmission through the global computer network to the online user (Paragraphs [0035], [0056], [0066] and [0087]).

57. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Adams and Aravamudan because they both deal with access and delivery of multimedia information. Furthermore, the teaching of Adams to allow wherein the step of receiving the indication comprises receiving audio input of the offline user and converting the audio input to text for transmission through the global computer network to the online user would improve the functionality of Aravamudan's system by advocating the ease of spontaneous connections and speeding access to web content by a user.

58. As per claim 15, Aravamudan does not explicitly teach the method of claim 13, wherein the step of receiving the indication comprises receiving audio input of the offline user, recording the audio input as a digital file, and transmitting the digital file through the global computer network to the online user.

59. Adams teaches a method wherein the step of receiving the indication comprises receiving audio input of the offline user, recording the audio input as a digital file, and transmitting the digital file through the global computer network to the online user (Paragraphs [0035], [0056], [0066], [0087], [0152] and [0169-0170]).

60. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Adams and Aravamudan because they both deal with access and delivery of multimedia information. Furthermore, the

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teaching of Adams to allow wherein the step of receiving the indication comprises receiving audio input of the offline user, recording the audio input as a digital file, and transmitting the digital file through the global computer network to the online user would improve the functionality of Aravamudan's system by advocating the ease of spontaneous connections and speeding access to web content by a user.

61. Claim 45 does not teach or define any new limitations above claims 3-4 and therefore is rejected for similar reasons.

62. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

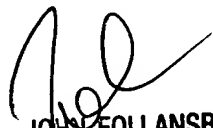
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Martin whose telephone number is (571) 272-3970. The examiner can normally be reached on Monday - Friday 8:30 a.m. - 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3970.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas Martin
June 23, 2005


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